

REMARKS

This application has been carefully reviewed in light of the final Office Action dated February 23, 2007, and the Advisory Action dated May 18, 2007. Claims 1-18 are pending. Claims 1, 2, 10 and 18 are independent. Claims 1, 2 and 18 have been amended.

In the Office Action, claims 1-4, 10-13, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by International Publication No. WO 00/76233 to Hunte (hereinafter referred to as "Hunte").

Applicants have amended independent claim 1 to recite "instructing the secondary station, via the downlink control channel, of the length of time during which channel measurements used to generate each report are made."

Applicants submit that amended Claim 1 of the present application is not anticipated by Hunte. Claim 1 is not anticipated by Hunte, at least because claim 1 recites "instructing the secondary station, via the downlink control channel, of the length of time during which channel measurements used to generate each report are made." Hunte, to the contrary, discloses varying the interval (IL) between channel measurements (see abstract and Fig. 2b). Instructing a secondary station to take measurements for a given length of time, as recited in claim 1, is not the same as adjusting the length of time between taking measurements, as disclosed in Hunte. Nowhere does Hunte teach or suggest a length of time within which measurements are made, instead Hunte teaches setting a length of time (IL) between measurements. Since Hunte does not teach each element of claim 1, claim 1 is not anticipated by

Hunte. Applicants therefore respectfully request that the Examiner withdraw this rejection.

Independent claims 2 and 18 have been amended in a similar manner to claim 1, and are therefore not anticipated by Hunte for at least the reason discussed above with respect to claim 1. Independent claim 10 recites a similar limitation of "means (112) for varying the length of time during which channel measurements used to generate each report are made." Applicants therefore respectfully request that the Examiner withdraw the rejections to independent claims 2, 10 and 18.

Claims 3-4, 11-13 and 17 each depend from one of the aforementioned independent claims and are therefore not anticipated by Hunte for at least the reason discussed above with respect to claim 1. Applicants therefore respectfully request that the Examiner withdraw these rejections.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunte in view of U.S. Patent No. 6,208,861 to Suzuki. Claim 5 depends from claim 2 and is therefore patentable over Hunte in view of Suzuki for at least the reason discussed above with respect to claim 2. Applicants therefore respectfully request that the Examiner withdraw this rejection.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunte in view of U.S. Patent No. 6,862,271 to Medvedev et al. Claim 14 depends from claim 10 and is therefore patentable over Hunte in view of Medvedev for at least the reason discussed above with respect to claim 10. Applicants therefore respectfully request that the Examiner withdraw this rejection.

In view of the foregoing, it is respectfully submitted that the currently-pending claims are in condition for allowance and favorable consideration is earnestly solicited.

Respectfully submitted,

Paul Im
Registration No. 50,418

Date: 23 May 2007

/James Dobrow/
By: James Dobrow
Attorney for Applicant
Registration No. 46,666

Mail all correspondence to:

Paul Im, Registration No. 50,418
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9627
Fax: (914) 332-0615

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

Date of Transmission: 23 May 2007

I hereby certify that this correspondence and enumerated documents are being transmitted to the U.S. Patent and Trademark Office on the date of transmission indicated above.

Name: James Dobrow

Signature: /James Dobrow/
